

SENATE, No. 2395

STATE OF NEW JERSEY

213th LEGISLATURE

INTRODUCED DECEMBER 8, 2008

Sponsored by:

Senator THOMAS H. KEAN, JR.

District 21 (Essex, Morris, Somerset and Union)

Senator BILL BARONI

District 14 (Mercer and Middlesex)

Co-Sponsored by:

Senator Bucco

SYNOPSIS

Requires Attorney General to seize campaign funds of convicted candidates; prohibits convicted criminal offenders from making contributions to candidates and committees.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/14/2009)

1 AN ACT concerning the use of campaign funds by certain
2 candidates and prohibiting convicted criminal offenders from
3 making contributions to candidates and committees, and
4 supplementing P.L.1973, c.83 (C.19:44A-1 et seq.).
5

6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*
8

9 1. Whenever a candidate has plead guilty to or been convicted in
10 this State of committing a crime of the first, second, third or fourth
11 degree, or an offense in another jurisdiction which, if committed in
12 this State, would constitute such a crime, the Attorney General
13 shall, immediately upon the candidate's conviction, seek such order
14 of forfeiture from a court of competent jurisdiction as may be
15 necessary to seize the funds in the candidate committee or joint
16 candidates committee under the control of that candidate or with
17 which the candidate is affiliated. The funds shall be deposited into
18 a special account of the Election Law Enforcement Commission
19 that shall be appropriated annually solely for the purposes of the
20 commission with regard to the enforcement of P.L.1973, c.83
21 (C.19:44A-1 et seq.) and the public disclosure of the reports filed
22 with the commission. Such a candidate shall be prohibited from
23 establishing or becoming affiliated with another candidate
24 committee or joint candidates committee until that candidate has
25 completed the sentence imposed for the conviction, completed any
26 period of probation or parole, paid all monetary fines and penalties
27 imposed, and is again eligible to seek election to public office.

28 No person who has plead guilty to or been convicted of
29 committing a crime of the first, second, third or fourth degree, or an
30 offense in another jurisdiction which, if committed in this State,
31 would constitute such a crime, shall be permitted to make a
32 contribution of money or other thing of value to a candidate,
33 candidate committee or joint candidates committee, political
34 committee, continuing political committee or political party
35 committee, or to a legislative leadership committee, until that
36 person completed the sentence imposed for that conviction,
37 completed any period of probation or parole, paid all monetary fines
38 and penalties imposed, and is eligible to register to vote.
39

40 2. This act shall take effect immediately.
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42

43 STATEMENT 44

45 The purpose of this bill is to require the Attorney General to seek
46 an order of forfeiture to seize the funds in the campaign committee
47 of any candidate who is convicted of a criminal offense in this State
48 or another jurisdiction, and to prohibit any person who is a

1 convicted criminal offender from making contributions to
2 candidates for elective office and to committees.

3 Specifically, the bill provides that whenever a candidate has
4 plead guilty to or been convicted of committing a crime of the first,
5 second, third or fourth degree, the Attorney General is to seek an
6 order of forfeiture from a court of competent jurisdiction to seize
7 the funds in the candidates committee or joint candidates committee
8 under the control of that candidate. The funds are to be deposited
9 into a special account under the control of the Election Law
10 Enforcement Commission, and appropriated annually for the
11 commission's enforcement of existing campaign contributions and
12 expenditure law, and to enhance its ability to provide public
13 disclosure of the contributions received by all candidates so that
14 disclosure could be made in a quicker and more comprehensive
15 manner. The candidate would be prohibited from establishing or
16 becoming affiliated with another candidate committee or joint
17 candidates committee until that candidate has served his sentence,
18 completed any period of probation or parole, paid all fines and
19 monetary penalties imposed and is again eligible to seek election to
20 public office.

21 The bill also provides that no person who has plead guilty to or
22 been convicted of committing a crime of the first, second, third or
23 fourth degree would be permitted to make a contribution of money
24 or other thing of value to a candidate, candidate committee or joint
25 candidates committee, political committee, continuing political
26 committee or political party committee, or to a legislative
27 leadership committee, until that person has served his sentence,
28 completed any period of probation or parole, paid all fines and
29 monetary penalties imposed and is eligible to reregister to vote.